



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States District Courthouse
300 Quarropas Street
White Plains, New York 10601*

December 8, 2020

BY ECF

The Honorable Philip M. Halpern
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Jarrett Crisler, Jr. a/k/a "Jayecce," S2 20 Cr. 626 (PMH)*

Dear Judge Halpern:

The Government respectfully writes regarding the initial bail determination in the above captioned matter. On December 1, 2020, the defendant, Jarrett Crisler, Jr., a/k/a "Jayecce," ("Crisler" or the "defendant") was arrested in the Middle District of Florida and charged with firearms trafficking conspiracy for his role as a gun supplier to members of the Untouchable Gorilla Stone Nation. On December 7, 2020, a grand jury in this District returned Superseding Indictment S2 20 Cr. 626 (PMH), charging the defendant with firearms trafficking conspiracy and substantive firearms trafficking. Over the Government's objection, the defendant was granted bail earlier today by the Honorable Embry Kidd, United States Magistrate Judge for the Middle District of Florida. Under 18 U.S.C. § 3145(a)(1), the Government may seek review of a magistrate judge's order releasing a defendant pending trial by the District Court with jurisdiction over the case. District Courts conduct this review de novo. *See United States v. Leon*, 766 F.2d 77, 80 (2d Cir. 1985); *United States v. Sierra*, No. 99 Cr. 962, 1999 WL 1206703, *1 (S.D.N.Y. Dec. 16, 1999).

Accordingly, the Government respectfully asks the Court to: (1) set a date and time for the parties to appear remotely regarding the Government's appeal of the initial bail determination for the defendant; (2) appoint the defendant counsel under the Criminal Justice Act in White Plains, New York; and (3) issue an order staying Magistrate Judge Kidd's decision to release the defendant from custody until the Court has conducted its de novo review. *See United States v. Mattis*, 963 F.3d 285, Dkt. 39 (2d Cir. 2020) (granting Government's request to stay bail determination and directing the United States Marshals to take the defendants into custody forthwith).

Enclosed is a proposed order directing that Magistrate Judge Kidd's initial bail determination be stayed pending review of this Court.

The Government's request that the Court issue an order staying the Defendant's release from custody is denied as moot.

SO ORDERED.

John

Philip M. Halpern, U.S.D.J.

Dated: New York, NY
December 10, 2020

Respectfully submitted,

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By: _____ s/_____

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Encl.

Cc: All Counsel (via ECF)